IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34566 of 2007(M)

PETITIONER:

M/S. RUBY MARINE FOODS,
THOPPUMPADY, KOCHI-5,
REPRESENTED BY ITS PARTNER,
ROY J.VAYALAT.

BY ADV. SRI.P.SANJAY

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY SECRETARY (TAXES).
2. **THE DEPUTY TAHSILDAR (R.R), COCHIN-1.**
3. **THE DEPUTY COMMISSIONER (APPEALS),**
   COMMERCIAL TAXES, ERNAKULAM.
4. **THE COMMERCIAL TAX OFFICER,**
   2ND CIRCLE, MATTANCHERRY, KOCHI.

BY GOVT. PLEADER, SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO.34566 OF 2007
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Dated this the 22nd day of November, 2007

J U D G M E N T

Against Ext.P1 order of assessment, petitioner has filed Ext.P2 appeal along with Ext.P3 application for stay. While orders are not passed, revenue recovery proceedings have been initiated by Ext.P4 and hence this writ petition.

2. In view of the pendency of the appeal and stay petition as stated above, I dispose of this writ petition directing that Ext.P3 stay petition filed by the petitioner, which is now pending before the 3rd respondent, shall be taken up and disposed of as expeditiously as possible, at any rate, within three weeks of receipt of a copy of this judgment.

3. In thee meanwhile, further proceedings pursuant to Ext.P4 shall be kept in abeyance for one month.

Petitioner shall produce a copy of this judgment before the 3rd respondent for compliance.

ANTONY DOMINIC, JUDGE

Rp